

Office of Thrift Supervision, Treasury

§ 509.1

§ 508.13 Decision of the Office.

(a) Within 30 days after the recommended decision has been certified to the Office, the Office shall issue a final decision.

(b) The Office's final decision shall contain a statement of the basis therefor. The Office may satisfy this requirement where it adopts the recommended decision of the presiding officer upon finding that the recommended decision satisfies the requirements of § 509.38 of this chapter.

(c) The Secretary shall serve upon the petitioner and the representative of the Office of Enforcement a copy of the Office's final decision and the related recommended decision.

[54 FR 49444, Nov. 30, 1989, as amended at 56 FR 38306, Aug. 12, 1991; 59 FR 53570, Oct. 25, 1994]

§ 508.14 Miscellaneous.

The provisions of §§ 509.10, 509.11, and 509.12 of this chapter shall apply to proceedings under this part.

[54 FR 49444, Nov. 30, 1989, as amended at 56 FR 38306, Aug. 12, 1991]

PART 509—RULES OF PRACTICE AND PROCEDURE IN ADJUDICATORY PROCEEDINGS

Subpart A—Uniform Rules of Practice and Procedure

Sec.

- 509.1 Scope.
- 509.2 Rules of construction.
- 509.3 Definitions.
- 509.4 Authority of Director.
- 509.5 Authority of the administrative law judge.
- 509.6 Appearance and practice in adjudicatory proceedings.
- 509.7 Good faith certification.
- 509.8 Conflicts of interest.
- 509.9 Ex parte communications.
- 509.10 Filing of papers.
- 509.11 Service of papers.
- 509.12 Construction of time limits.
- 509.13 Change of time limits.
- 509.14 Witness fees and expenses.
- 509.15 Opportunity for informal settlement.
- 509.16 Office's right to conduct examination.
- 509.17 Collateral attacks on adjudicatory proceeding.
- 509.18 Commencement of proceeding and contents of notice.
- 509.19 Answer.

- 509.20 Amended pleadings.
- 509.21 Failure to appear.
- 509.22 Consolidation and severance of actions.
- 509.23 Motions.
- 509.24 Scope of document discovery.
- 509.25 Request for document discovery from parties.
- 509.26 Document subpoenas to nonparties.
- 509.27 Deposition of witness unavailable for hearing.
- 509.28 Interlocutory review.
- 509.29 Summary disposition.
- 509.30 Partial summary disposition.
- 509.31 Scheduling and prehearing conferences.
- 509.32 Prehearing submissions.
- 509.33 Public hearings.
- 509.34 Hearing subpoenas.
- 509.35 Conduct of hearings.
- 509.36 Evidence.
- 509.37 Post-hearing filings.
- 509.38 Recommended decision and filing of record.
- 509.39 Exceptions to recommended decision.
- 509.40 Review by the Director.
- 509.41 Stays pending judicial review.

Subpart B—Local Rules

- 509.100 Scope.
- 509.101 Appointment of Office of Financial Institution Adjudication.
- 509.102 Discovery.
- 509.103 Civil money penalties.
- 509.104 Additional procedures.

AUTHORITY: 5 U.S.C. 504, 554-557; 12 U.S.C. 1464, 1467, 1467a, 1468, 1817(j), 1818, 3349, 4717; 15 U.S.C. 78(l), 78o-5, 78u-2; 31 U.S.C. 5321; 42 U.S.C. 4012a.

SOURCE: 56 FR 38306, Aug. 12, 1991, unless otherwise noted.

Subpart A—Uniform Rules of Practice and Procedure

§ 509.1 Scope.

This subpart prescribes Uniform Rules of practice and procedure applicable to adjudicatory proceedings as to which hearings on the record are provided for by the following statutory provisions:

- (a) Cease-and-desist proceedings under section 8(b) of the Federal Deposit Insurance Act (FDIA) (12 U.S.C. 1818(b));
- (b) Removal and prohibition proceedings under section 8(e) of the FDIA (12 U.S.C. 1818(e));
- (c) Change-in-control proceedings under section 7(j)(4) of the FDIA (12 U.S.C. 1817(j)(4)) to determine whether